

GOVERNMENT



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GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL ADMINISTRATIVE REFORMS,
TRAINING AND PUBLIC GRIEVANCES
GANGTOK – 737101

e-mail: gos.dopart@gmail.com

Fax No. 03592 – 201239 / 201163

No.57/GEN/DOP

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NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Sikkim hereby makes the following rules, namely:-

1. Short title and commencement:-

- (1) These rules may be called the **Sikkim State Panchayati Raj Development Service Rules, 2017**
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition: In these rules, unless the context otherwise requires:-

- a) “**appointed day**” means the date from which the provisions of these rules shall come into force;
- b) “**Appointing Authority**” means the Governor of Sikkim;
- c) “**Commission**” means the Sikkim Public Service Commission;
- d) “**Committee**” means the Selection committee constituted under rule 12 for the purpose of these rules;
- e) “**Controlling Authority**” means the Government in the Department of Personnel, Administrative Reforms, Training and Public Grievances;
- f) “**day**” means a calendar day beginning and ending at midnight;
- g) “**Government**” means the Government of Sikkim;
- h) “**Governor**” means the Governor of Sikkim;
- i) “**member of the service**” means a member of the Sikkim State Panchayati Raj Development Service;

- j) "Schedule" means the Schedule appended to these rules ;
- k) "service" means the Sikkim State Panchayati Raj Development service;
- l) "State" means the State of Sikkim;
- m) "Year" means 12(twelve) months reckoned according to the English Calendar;

3. Constitution of service: There shall be constituted a service to be called the Sikkim State Panchayati Raj Development Service consisting of persons appointed to the Service according to these rules.

4. Strength and composition of service:

- (1) The strength of the service shall be as determined by the Government from time to time
- (2) On the appointed day, the strength and composition of the service shall be as shown in Schedule I

5. Pay Band and Grade Pay:-

- (1) The Pay Band and Grade Pay admissible to the members of the service shall be as determined by the Government from time to time
- (2) On the appointed day , the Pay Band and the Grade Pay prescribed for the Cadre Posts in different Grades shall be as shown in Schedule II

6. Member of Service:-

- (1) Person appointed to the cadre posts in accordance with these rules shall be the members of the service
- (2) A person appointed under sub-rule (1) above shall be the members of the service in the appropriate Grade applicable to him in terms of the Schedule II from the date of such appointment.

7. Appointment and Posting:

All appointments, after the appointed day, to the cadre post shall be made by the Appointing Authority by one of the methods of recruitments prescribed under rule 8 and Schedule III.

8. Method of recruitment to the service:

Recruitment to the post in Junior Grade of the Service, with effect from the appointed day, shall be by the following methods , namely:-

- (a) 50% shall be filled up by direct recruitment through open competitive examination to be held by the Commission
- (b) 50% shall be filled up by promotion of person holding Cadre Post in Grade I of the Sikkim Sub-ordinate Panchayati Raj Development Service.

9. Recruitment by Promotion:

- (1) The Government through the Controlling Authority shall, whenever necessary, for the purpose of recruitment to the Service under clause (b) of rule 8, prepare a list of

names of person in order of seniority who have, on the first day of that year, completed not less than 6 (six) years continuous service in a post in Grade I of the Sikkim Sub-ordinate Panchayati Raj Development Service.

- (2) The Controlling Authority shall forward to the Commission the list of persons referred to in sub-rule (1) together with their Character Rolls and service records for the preceding 5 (five) years indicating number of anticipated vacancies to be filled by promotion in course of period of 12 (twelve) months commencing from the date of preparation of the list.
- (3) The Commission shall prepare a final list of persons who are found to be suitable for promotion to the service on an overall relative assessment of the Annual Confidential Reports and Service records and interview.
- (4) The number of persons to be included in the list shall not exceed twice the number of vacancies to be filled by promotion
- (5) The Commission shall forward the list prepared under sub-rule (3) to the Government along with all Character Rolls and service records received from the Controlling Authority.
- (6) The list shall ordinarily be in force for a period of 12 (twelve) months from the date of the recommendation of the Commission.
- (7) The Government shall make appointment of persons included in the list prepared and recommended by the Commission under sub-rule (3) to the service in the order in which their names appear in the list.
- (8) It shall not ordinarily be necessary to consult the Commission before such appointments are made unless during the period of 12 (twelve) months from the date of recommendation of the Commission, there occurs deterioration in the work of the person which, in the opinion of the Government, is such as to render him unsuitable for appointment to the service.

10. Recruitment by direct recruitment through open Competitive Examination:

- (1) A competitive examination for recruitment to the service shall be held at such intervals as the Government may, from time to time, determine.
- (2) The examination shall be conducted by the Commission in accordance with such rules and syllabi as the Government may, from time to time, prescribe.
- (3) Of the number of vacancies to be filled up on the results of each examination, there shall be reservation in favour of candidates belonging to different categories to the extent and subject to the conditions as the Government may, from time to time, prescribe.
- (4) Subject to sub-rule (3) , the Commission shall forward to the Government, a list, arranged in order of merit of the candidates who have qualified by such standard as the Commission may determine.
- (5) Inclusion of a candidate's name in the list prepared under sub-rule (4) shall confer no right to the appointment to the service.

11. Seniority:

- (1) There shall be drawn Grade-wise seniority list of members of the service.
- (2) Inter-seniority of members on their appointment through promotion shall be in the same order in which their names are arranged in the list recommended by the Commission.

Note: Any delay in assuming charge of the post on promotion due to administrative reasons, such as transfer from an outlying station, or delay in being relieved for want of substitute, shall not affect the seniority of the person concerned.

- (3) (i). While making selection for direct recruitment, the Commission , while making recommendations, shall arrange the names of the selected candidates in the order of merit assigned to them. If all the candidates join duty or training courses, as the case may be, within the time limits prescribe, inter -se - seniority will be fixed in the same order in which their names are placed at the time of selection. Extension of the period of training or probation in any individual case by the Government shall not affect the inter-se- seniority.
- (ii) If any selected candidates fail to join duty or training course, as the case may be, within the time limit prescribed, and the reason therefore is such as receives the sanction of the Appointing Authority for condonation of delay, he is liable to forfeit all claims to inter-se- seniority, and his seniority shall be counted from the date of his joining duty or training course. If the delay is condoned by the Appointing Authority, the inter-se - seniority shall remain unaffected.
- (iii) Inter-se - seniority of a person appointed to the service by promotion and by direct recruitment shall be determined on the basis of rotation of vacancies between promotee and direct recruits. The first point, on rotation of vacancies, shall be allotted to the persons appointed through promotion followed by direct recruitment.

12. Promotion from one grade to another higher grade:

- (1) There shall be a Selection Committee consisting of the following for the purpose of considering the promotion of a member of service to the post of higher Grade, namely:-
- I. Chairman, Sikkim Public Service Commission.
 - II. Member, Sikkim Public Service Commission.
 - III. Secretary, Department of Personnel, Administrative Reforms and Training'
 - IV. Secretary, Rural Management and Development Department
 - V. Secretary to the Government to be nominated by the Government.
- The Commission may co-opt any expert/subject specialist to assist the Selection Committee in making the selection.
- (2) The Chairman or where the Chairman is unable to attend, the senior-most member of the Commission shall preside over the meeting of the Selection Committee. The absence of the Member other than the Chairman or the Member of the Commission shall not invalidate the proceeding of the Committee if more than half of the members of the Selection Committee had attended its meeting.
- (3) The Government through the Controlling Authority shall, from time to time, prepare a list of names of the members of the service, in order of seniority, who fulfill the conditions prescribed in Schedule III, on the first day that year, for promotion to the next higher grade.

- (4) The Government shall forward to the Commission information relating to number of vacancies to be filled up by promotion in course of 12 (twelve) months commencing from the date of preparation of the list along with the list prepared under sub-rule (3) and the Character Rolls and service records of the period, the members of the service is required to complete.

- (5) The Commission, after satisfying themselves that the records and information is complete in all respect have been received, will convene a meeting of the Selection Committee. The Selection Committee shall prepare a final list of members who are found suitable for promotion and overall relative assessments of their confidential reports and service records.
- (6) The Commission shall forward the list prepared under sub-rule (5) to the Government along with all the Character Rolls and service records received from the Government.
- (7) The list shall ordinarily be in force for a period of 12 (twelve) months from the date of recommendation of the commission.
- (8) The Government shall order promotion of members of the service in the order in which their name appear in the list forwarded by the Commission.
- (9) It shall not ordinarily be necessary to consult the Commission before such promotion is made unless during the period of 12 (twelve) months from the date of the recommendation of the Commission there occurs a deterioration in the work of the member of the service which in the opinion of the Government is such to render him unsuitable for promotion.

13. Administrative Control:

- (1) The Control over the service including appointment, transfers and deputation shall vest in the Government in the Department of Personnel, Administrative Reforms, and Training and Public Grievances.
- 2) The headquarters of a member of the service shall not be changed without the concurrence of the Controlling Authority.
- (3) A member of the service shall not be transferred to another Department or to any Corporation, Company, Undertaking or Body without the concurrence of the Controlling Authority both for the terms and conditions proposed or stipulated for such transfer.

14. Residuary Matters: All other matters in relation to the service not specified or for which no provision has been made in these rules shall be regulated by rules and orders applicable to other officers of the Government of equivalent status.

15. Interpretation: If any question arises as to the interpretation of any of these rules, the decision of the Government thereon shall be final

16. Power to relax: Where the Government is of the opinion that is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax, in consultation with the Commission, any of the provisions of these rules with respect to any class or category of persons or posts.

By order and in the name of the Governor.

**JOINT SECRETARY TO THE GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS,
TRAINING AND PUBLIC GRIEVANCES.**

SCHEDULE - I
 (See rule (2) of rule 4)
AUTHORISED STRENGTH AND SUB-COMPOSITION OF SERVICE

Sl. No.	Name of post	Grade	No. of post
(1)	(2)	(3)	(4)
1.	Director (Panchayat)	Supertime Grade II	01
2.	Additional Director (Panchayat)	Selection Grade I	01
3.	Joint Director (Panchayat)	Selection Grade II	02
4.	Deputy Director (Panchayat)	Senior Grade	10
5.	Assistant Director (Panchayat)	Junior Grade	31
	Total duty posts		45
	Deputation Reserve (5% of 45)		02
	Training Reserve (5% of 45)		02
	Leave Reserve (10% of 45)		05
	Total authorized strength		54

SCHEDULE II
 (See sub-rule (2) of rule 5)

PAY BAND AND GRADE PAY PRESCRIBED FOR CADRE POSTS

1. Junior Grade - PB 2 Rs. 9300 - 34800 and Grade Pay of Rs. 5000/-
 This shall be the Pay Band and Grade pay for the post of Assistant Director (Panchayat).
2. Senior Grade - PB 3 Rs. 15600 - 39100 with Grade Pay of Rs. 6200/-
 This shall be the Pay Band and Grade Pay for the post of Deputy Director (Panchayat).
3. Selection Grade II - PB 3 Rs. 15600 - 39100 with Grade Pay of Rs. 7200/-
 This shall be the Pay Band and Grade Pay for the post of Joint Director (Panchayat).
4. Selection Grade I - PB 3 Rs. 15600 - 39100 with Grade Pay of Rs. 8700/-
 This shall be the Pay Band and Grade Pay for the post of Assistant Director (Panchayat).
5. Super time Grade - PB 4 Rs. 32000 - 60000 with Grade Pay of Rs. 9000/-
 This shall be the Pay Band and Grade Pay for the post of Director (Panchayat).

SCHEDULE III

(See rule 9 and rule 12)

METHOD OF RECRUITMENT AND PROMOTION AND ELIGIBILITY CONDITIONS

Sl. No.	Name of the post	Grade	Method of recruitment	Eligibility conditions
01.	Assistant Director (Panchayat)	Junior Grade	(a) 50% by direct recruitment	(a) Must have a degree of a recognized University (b) Must have Diploma in Rural Management of a recognized University or Institute. (c) Must be within the age limit of 21 to 30 years. Orders and instructions issued by the government regulating relaxation of upper age limit apply.
			(b) 50% by promotion	Members of Sikkim Subordinate Panchayati Raj Development Service who have completed at least 6 (six) years regular service in the post of Senior Village Administrative Assistant (Grade I) provided there exists a clear vacancy in Junior Grade.
02.	Deputy Director (Panchayat)	Senior Grade	100% by promotion	Members of service with at least 6 (six) years of regular service in Junior Grade provided there exists a clear vacancy in Senior Grade.
03.	Joint Director (Panchayat)	Selection Grade II	100% by promotion	Members of service with at least 4 (four) years of regular service in Senior Grade provided t there exists a clear vacancy in Selection Grade II.
04.	Additional Director (Panchayat)	Selection Grade I	100% by promotion failing which by deputation from Sikkim State Civil Service.	Members of Service with at least 4 (four) years of regular service in Selection Grade II provided there exists a clear vacancy in Selection Grade I. For deputation.- Member of Sikkim State Civil Service in Selection Grade II with a minimum of 6 (six) years of service in that Grade.
05.	Director (Panchayat)	Super time Grade I	100% by promotion failing which by deputation from Sikkim State Civil Service.	Members of Service with at least 4(four) years of regular service in Selection Grade I provided there exists a clear vacancy of Director (Panchayat). For deputation.- Member of Sikkim State Civil Service in Selection Grade I with a minimum of 4(four) years of service in that Grade.

